WEATHER FORECAST TONIGHT AND FRIDAY PAIR

The Evening Herald

KLAMATH COUNTY AND OF KLAMATH FALLS

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Member of the Associated Press KLAMATH FALLS, OREGON, THUBSDAY, DECEMBER 7, 1922.

COURT HOUSE FIGHT GOES ON

WARD CASE TO BE CARRIED TO

Formal Notice of Appeal From Skipworth Decree Served Today

Formal notice of appeal to the Oregon supreme court from the recent decision of Judge Skipworth, in which the Dougan building was served by attorneys for Klamath county on attorneys for Frank Ward. completeant in the suit of Frank Ward, as taxpayer, vs. Klamath county, R. H. Bunnell, Asa Fordyce and Burrell Short.

Notice of appeal was also served in the case of Klamath county vs. Klamath Development company, in which the county sought to compet delivery of title to Block 10, site of the Hot Springs structure, and in which Judge Skipworth decreed that Klamath county has no interest in the title and dismissed the case.

Followed DeLap's Action

The action of the county court in serging notice of appeal fellowed that of County Clerk C. R. DeLap. who this morning started to move the records from his office in the Dougan building.

In the opinion of attorney's for Frank Ward, it is not probable that the case will come before the sufor the county are willing to earry Bunnell said they were willing to do. the preliminary expense would not be less than \$1,000. This would ap ply to printing and publication. Should the county court fail to win their case the costs would also be added to the expense bringing the total up to several thousand dollars.

Seven Months Conscerntive

timate, but in this case it was possible that the supreme court would pleted by January 1, it was anmove it ahead on the docket.

Rumors of a recall were renewed subject of much discussion.

PLAN LEGION SMOKER

Boxing, Eats and General Good Time Promised for Friday

Boxing, eats and a general good fime is promised at the American legion smoker, to be held in the legion's club rooms Friday evening. The smoker is open to all ex-service men and veterans of the Spanish-American war are capecially invited, according to the committee, H. C. Merryman and Ed MacLoughlin.

On the program will appear Earl Ritchie and Lew Miller, and Kid Herbert and Jack Harmon, both in four-round exhibition matches. The famous midget boxers, Tuffy Anderson and Kid Biehn, will also appear.

WEATHER PROBABILITIES

the night and this Pharmacy regis-tered 30.10 Incoldest of the sens. n the thermome

LE WENT

ter registering Forecast for next 24 hours:

Fair weather, with brisk winds which will diminish.

The Tycos recording thermometer registered maximum and minimum temperatures today as follows:

Formal Opening of Christmas Season Is Scheduled Tuesday

Formal opening of the Christmas eason is scheduled for next Tuesday wening, with Main street decorated with Christmas trees, all the colored lights playing, vieing in this respect C. R. DeLap Vacates Woodwith the municipal band, and all the keys of the city turned over to Santo Claus.

The merchants' bureau at last night's meeting unanimously adopted the idea originated by W. O. Smith to make this Yuletide memorable, and probably inaugurate an

annual Christmas custom. Tree Every 25 Feet Christmas trees for street decoraadjudged the legal court house of Boas one tree to every 25 feet Klamath county, this morning was will be supplied merchants at a dollar each. In a short convans this morning Smith signed up the busistreets solidly. The postoffice block will continue to move." will be decorated and other frontage also, depending upon the inclina-

> of high school boy's to get the trees, ath county. Store will not be open Tuesday evening, but all the windows will display Christmas goods and a paradise for window-shoppers will be why not use it." asked Def.ap.

adopting the spreading idea.

created.

Rivalry Promised

Merchants have taken hold of the idea with enthusiasm and there promises to be a great deal of friendly oden structure to the adjoining rivalry in the creation of artistic the county court. County Judge various establishments.

They are preparing an actual pageast of Christmas, eliminating for preme court in less than seven the evening all commercial considmonths. And even though attorneys erations. The public will have no opportunity to spend money. All up the appeal without fee, as Judge that is asked is their participation in the show that will be prepared

OIL STATION, DORRIS

New Plant Being Installed By Standard Oil Company

An oil station, including two 19, 000 gallon tanks, is being installed months would be a conservative es. at Dorris by the Standard Oil company and will probably be comnounced today by the local office.

The new station will be virtualtoday when it became known that an ly the same as that installed at appeal was to be made, and the Chiloquin by the Standard. It will probability of such action was the cover 15,000 square feet and will be modern in every detail. Truck service for the outlying districts as well as for local customers will be furnished. Several men will be employed.

> Installation of the new station is in line with the Standard's polkey to serve all of this territory. it was said. With completition of the station all rural districts from Dorris to Kirk will be fully serv-

BELIEVES IN KLAMATH

Rev. G. H. Feese, Former Resident. Says Prophets Are Right

ladustry was not lacking, for he and a helper set a record unequalled before or since when they cleared and planted 160 acres of Klamath valley land in one season, but the farming venture didn't pay, said the Rey G. H. Feene, old-time resident of Klamath, in a series of reminiscences at the chamber of commerce forum yesterday.

But that did not cause the farmclo-thormagraph ing preacher to lose faith in close to the thinks yet that the prophets who believe that Klamath Falls dications are that will some day be muchen spokand tonight will be have the right dope.

PHILLIPS CLUE FALSE

Report That Escaped Muderess Was Seen Proves Unfounded

SAN DIEGO, Cal., Dec. 7.-Reports that Mrs. Clara Phillips, Los Angeles murderess, was seen in Tijuana yesterday and had possibly taken refuge in a cabin near the ocean, proved false today after an investigation by officers.

COUNTY CLERK **MOVES** OFFICE

en Structure; Action Based On Skipworth Decree

With the other county officers enviously looking on, County Clerk C. R. DeLap this morning started in the wooden structure into the adjoining Main street courthouse,

"I have called their hand; let them stop me if they can," said ness section from Fourth to Eighth ly, I'll move back. Otherwise, we

tions of individual merchants in Skipworth, in which it was decreed schedules which the Union Pacific making the death list 7. The dead that the Main street structure was Smith has arranged with a corps the official courthouse of Klam- that the Southern Pacific, retaining

Under \$10,000 Bond

"If this is the official courthouse "There can not be two courthouses. The band concert is scheduled to Besides, I am under a \$10,000 etart at 7:30 and last foe an hour bond as custodian of the county records, and I don't propose to leave those records in that old wooden building any longer."

DeLap threatened to move some at his "own risk." The eupon DeLap made preparations for moving, and this morning his office was the scene of bustle and confusion. The heavy vault doors were removed and transfer of the records Since the clerk's offices in the new building are at the cast end of the building, adjoining the old building, the work was somewhat simplified. A plank was and records and the less heavy paraphernalia was simply carried across the improvised bridge. The vault doors and other heavy objects were handled by draymen.

Made Envious Comment

In the county school superintendent's and county assessor's offices envious comment was made on the

(Continued on Page 2)

BITTER FIGHT IS WAGED AT HEARING. S. P. APPLICATION

Idaho Declared Gouged By Union Pacific; Middle West Strong For Unmerger of Lines

WASHINGTON, Dec. 7 .- Declaring Idaho was faced with practically cific, and that if the Central Pacific were separated from the Southern Pacific it would fall into the control of the Union Pacific, Senator Gooding, republican, Idaho, today urged the interstate commerce commishad wrecked idaho by high rates.

DeLap. "If they do stop me, legal- ator Gooding declared, "Rates will fire, continue to be the highest that there are in the country. It is not hard DeLap takes as authority for his to realize what is the matter with Bazel Church, one of the seriously action the recent decision of Judge Idaho now when you read the rate maintains. We have just a hope Central Pacific, will some day build up late Idaho from Ogden, Utah. and give us competition.

"I am moved in this matter to urge continued unity of the two roads solely by a desire to see my state grow in the future,"

Continue 'Attack

Traffic associations of the middle west continued today the attack begun yesterday on the Southern Padays ago, when he appeared before cific's application to retain the Contrai Pacific. J. J. Wulte, chairman Christmas atmosphere around the nunnell replied that he would move of the freight traffic committee of the Chicago association of commerce, and a number of other shippers or representatives of shippingcorporations were called as witnesses. All advanced the argument that the Southern Pacific, by reason of rall and water routes, was encouraging traffic between the Atlantic and Mrs. Mabel Nichols, Confessed Slay-Pacific coasts at the expense of the middle west and the Mississippi valley producting area generally.

proper competitive service,

EUGENE MEN DROWN

today when their boat upset.

MELODRAMA STUFF

GASOLINE USED

railroad monoply by the Union Pa- Mistake In Cans Is Fatal against the postoffice. To Eugene Family: Death List Reaches Seven

EUGENE, Dec. 7 .- Six small chilsich to grant the Southern Pacific dren and one woman are dead today petition for control of the Central and three grown persons and one moving the records from the office Pacific. He said the Units Pacific child are suffering from burns received last night when a can of gaso-"We know exactly what to expect line, mistaken for kerosene, explod-I the Union Pacific is allowed to ed when the contents were poured dominate the Central Pacific," Sen- into a stove to aid a smoldering

Mrs. Iver Johnson, at whose home here the explosion occurred, and injured children, died early today,

Mrs. Iver Johnson. Marvel Johnson, 4. Leroy Johnson, 2. William Church, 6, Orville Church, 5. Ida Church, 3. Hazel Church, 4.

on, aged one, and Mr. and Mrs. James Church are in a hospital. Johnson was not seriously burned, and may leave the hospital today. According to his story, his wife mistook the gasoline can for a kerosone can, and the explosion followed, filling the house with flames.

The Church family recently came from Radville, Saskatchewan and were visiting with the Johnsons

HEARING IS WAIVED

er, Bound Over to Grand Jury

Mrs. Mahel Nichols, who confessed An independent Central Pacific to the slaying of her companion, extended from window to window line entering San Francisco. they Robert Greer, at the Summit stane contended, was necessary to give station last Saturday morning, and inquest at Crescent, yesterday waived an elevation of 5200 feet. There is excellent fishing. EUGENE, Dec. 7 .- George D. grand jury, Bail was fixed at \$5, Linn, proprietor of the Eugene 600, which was not furnished, She Sand and Gravel company, and was lodged in the county infirmary Henry Netsle, an employee, were where she will be held to await the drowned in the Willamete river action of the grand jury, now in ses-

Wrap Packages With Care and Mail Early, Is Postmaster's Plea

Wrap your package scenrely, address it plainly and mail it earlythen if it is not delivered in good condition and in time for Christmas you have a legitimate complaint

This was the gist of a talk on co-operation between patron and postmaster, given by Postmaster John McCall at the chamber of commerce forum yesterday.

Suggestions Listed Here are a few of the postmaster's suggestions:

Wrap with a tough paper; tie with stout cord; write or print the address plainly with ink; place return address in upper left hand corner; attach address to article itself inside the wrapper: inclose articles excelsior or similar substance; if these correspondents are friends of to see that all these conditions are Pierce" are becoming quite numer complied with, and last of all insure

Then it's up to the postoffice.

BUILD RESORT HOTEL Iver Johnson and Clifford John. New Structure At Diamond Lake Is Made of Peeled Logs

PORTLAND, Dec. 7 .- Construction of a rustic hetel at Diamond lake, 20 miles north of Crater lake, is well under way, according to announcement of Walter Leve, formerly of the local bureau of planting. United States forest service, now stationed at Reachurg as forest examiner of the Umpqua forest. Leve is a visitor in Portland on two weeks'

The new hotel which is of peeled logs, 40 by 100 feet, will have tent tract visitors to the new reserve next summer. The lake will be eas, ly acknowledging receipt of these ily accessible by motor over the new road and last year was visited by more than 4000 persons. It is lo- hands of his strongest opponents who was brought here following an the summit of the Cascade range at ling just what he expects to do with cated in an usually scenic spot near both present and future, by es

applied for. There are also a dozen boats on the lake which may be rentleads from Crater lake will be comcent lake, making an exceptionally interesting tour.

U. S. C. TO PLAY PENN basis."

Conference Colleges Vote on Football Team to Meet Easterners

PORTLAND, Dec. 7 .- The University of Southern California's football team was selected to meet the Penn State eleven in the New Year's game at Pasadena, according to an- of the legislature in letters devoted nouncement received here from Dr. U. G. Duback, preident of the Pacific Coast Intercollegiate conference.

Dr. Duback said that Southern't California received the votes of six commissioner at, say, ten to fiftee schools in the Pacific coast conference; University of Oregon and University of California received one each. The schools voting for South- Positions when the news sets ern California were: Oregon Agricultural college; University of Wash- sion. ington, University of California, University State college and Stanford. University of Oregon cast its vote for itself, and University of Idaho voted for University of California,

RECOUNT HEARING ON

Arguments Being Heard By County Court In Chiloquin Contest

The county court was in session this morning and afternoon hearing arguments in the matter of the election contest instituted by T. L. Snook against R. C. Spink, elected justice of the peace at Chiloquin at the recent election. After hearing arguments, pro and con, the court will decide whether a recount of votes in the Chiloquin district will

OFFICIAL PAPER OF

Propensity for Letter Writing Brings Discouragement to Supporters

PORTLAND, Ore., Dec. 7 .- Some of the men who are anxious to see Walter M. Pierce succeed during his forthcoming term as governor Oregon, are becoming alarmed over the frankness with which he is discussing his administrative plans in liable to breakage in corrugated pa- letters to correspondents who adper or wooden boxes, and pack in dreas inquiries to him. Not all of contents are fragile or perishable, the governor-elect, and many of the indicate this conspiciously; give it letters appear to lack discretion, the the "once over" before you mail it not result being that "letters from ous and are being shown around all over the state.

This situation is having a discouriging effect upon the real friends and supporters of the new governor. ecause they had figured that Pierce would formulate his plans for the future with care and caution have them well worked out b the opposition could take circumvent them. The Wr cussing his program with all history

Answers Olcott Supporters

The strange thing about Pierce's voluminous corresponder his letters are enswers to inquiries put to him in writing by so accommodations and cottages to at- Governor Olcott's supporters in the recent campaign. Instead of more adroit questionnaires, the from LaGrande" is playing into the

One of Olcott's close friends, for strip three miles long for camp example, is displaying a "letter from grounds and there are 25 summer Pierce" wherein the latter goes into home sites available, most of the details concerning his notion of the permits for which have already been right way to handle the state highway department. The highway program should be carried on to comed to fishermen. This road which pletion, and maintenance of the roads already constructed should be propleted this summer as far as Cres- vided for, says Governor Olcott's age cessor in this particular letter "and," he adds, "the new highway commission should be on a salaried

Would Pay Commission

Now, to tell a couple of confider tiat advisers that the highway com missioners should each draw an appropriate salary, is one thing, but to is a totally different proposition to communicate that Idea to momb to discussion of the new administration's plans. The legislators, it is obvious, all have friends who would like to be appointed state highway thousand dollars a year, and it will take all of Governor-elect Ple time answering applicants for the that he favors a salaried

Another interesting det of this situation will be the ery that, if the highway com ers are paid salaries con with their duties, only highway construction should be pointed. And before the ler will pass a bill to anthorise the ment of such salaries, it will pretty close to naming the a that the new governor is to And the experts thus sele in all probability, be get excellent ability and not able to the paving trust.

Situation Ant

Speaking of salaried p be open for new when Pierce assumes government, it is amusing

ME CHEE-ILD! KIDNAPPED!